

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-4 have been replaced by new claims 25-36 which have been drafted to avoid the rejection based on non-statutory subject matter. Regarding claims 27-30 please note that the description recites that the acquisition module can be on the tire or on the wheel (thus rotating with the tire as the method is performed); or the acquisition module can be mounted on a fixed part of the vehicle, so the tire would rotate relative to the acquisition module (see paragraph 044).

Claims 5-24 have been canceled. Applicant reserves the right to pursue patent protection by a divisional application for the non-elected inventions/specie defined by those claims.

The claims now recite a practical application, namely, informing a vehicle's driver about the wear of a tire on the vehicle by transmitting to a location near the driver a signal related to a calculated height component of the tire tread for informing the driver about the tire's wear.

The claims also recite a transformative operation, namely causing electrical circuitry to measure capacitance or resistance and calculate the height component therefrom based upon an equation.

Thus, it is submitted that the claims satisfy the requirements of 35 U.S.C.
§101 and are in condition for allowance.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: April 12, 2007

By:


Alan E. Kopecki
Registration No. 25813

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620